

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA - WESTERN DIVISION

CRNOGORSKA PLOVIDBA A.D. KOTOR,

| Case No.

Plaintiff.

IN ADMIRALTY, Fed. R. Civ. P. 9(h)

vs.

GLOBAL AMERICAN TRANSPORT LLC.

**[PROPOSED] ORDER
AUTHORIZING ISSUANCE OF
PROCESS OF MARITIME
ATTACHMENT AND
GARNISHMENT**

Defendant.

and

INMOTION HOSTING, INC.; BANK
OF AMERICA, N.A.,

Garnishees,

The Court, having reviewed Plaintiff Crnogorska Plovidba A.D. Kotor's *Ex Parte* Application for Issuance of Process of Maritime Attachment and Garnishment and for related relief, together with the Verified Complaint and the attorney declaration averring that Defendant Global American Transport LLC cannot be found in the Central District of California, and finding that the conditions of Supplemental Rule B for Certain Admiralty and Maritime Claims of the Federal Rules of Procedure ("Rule B") appear to exist, it is hereby:

1 **ORDERED**, that the Clerk of this Court is authorized to issue pursuant to
2 Supplemental Rule B, as detailed in the Verified Complaint, Process of Maritime
3 Attachment and Garnishment for all assets, cash, funds, credits, wire transfers,
4 accounts, letters of credit, electronic fund transfers, freights, sub-freights, charter
5 hire, sub-charter hire, or any other tangible and/or intangible assets belonging
6 to, due, claimed by, being held for or on behalf of, or being transferred for the
7 benefit of Defendant, including, but not limited to any such assets as may be in
8 the possession, custody or control of, or being transferred through any garnishee
9 within this District, and said Order being equally applicable with respect to the
10 issuance and service of additional writs of maritime attachment and garnishment
11 upon any garnissees in this District not named herein, pursuant to Rule B of the
12 Supplemental Rules for Certain Admiralty and Maritime Claims of the Federal
13 Rules of Civil Procedure; and it is further,

14 **ORDERED**, that any person claiming an interest in the property attached or
15 garnished pursuant to said Order shall, upon application to the Court, be entitled
16 to a prompt hearing at which the Plaintiff shall be required to show why the
17 garnishment or attachment should not be vacated or other relief granted; and it
18 is further,

19 **ORDERED**, that supplemental or further writs of maritime attachment and
20 garnishment may be issued by the Clerk upon application without further Order
21 of the Court; and it is further,

22 **ORDERED**, that following initial service of a writ of maritime attachment and
23 garnishment on any Garnishee, supplemental service of maritime attachment
24 and garnishment writs on that Garnishee and related papers may be made by
25 way of facsimile transmission or email to each such Garnishee and, it is further,

26 **ORDERED**, that service on any Garnishee as described above is deemed
27 continuous throughout the day from the time of such service through the opening
28 of the Garnishee's business the next business day; and, it is further,

1 **ORDERED**, that pursuant to Federal Rule of Civil Procedure 5(b)(2)(D), each
2 Garnishee may consent, in writing, to accept service by any other means; and it
3 is further,

4 **ORDERED**, that Neil B. Klein of McKasson & Klein LLP, or any third-party
5 process server who is authorized to serve legal process under California law,
6 each over 18 years of age and not a party to the action, is hereby appointed to
7 act as special process server to effect service of the Process of Maritime
8 Attachment and Garnishment and Verified Complaint in this action and to effect
9 service of any supplemental process in this matter, in addition to the United
10 States Marshal; and it is further,

11 **ORDERED**, that any property attached or garnished pursuant to this Order
12 may be released from seizure without further order of the Court, as long as the
13 garnishee receives written authorization for the release from the attorney who
14 requested the attachment and garnishment, which written authorization shall
15 state that all parties in the Action have conferred through their counsel and
16 consent to the request for release, and provided that the Court has not entered
17 an order modifying the procedure for release of property attached pursuant to
18 this Order; and it is further,

19 **ORDERED**, that a copy of this Order be served with each said writ of maritime
20 attachment and garnishment; and, it is further,

21 **ORDERED** that to afford an opportunity for an expeditious hearing of any
22 objections which might be raised by Defendants, or any Garnishee, a hearing
23 may be set by calling the case manager of the undersigned judge.

24 IT IS SO ORDERED.

25 Date: September _____, 2024.

United States District Court Judge